

**CITY OF EL PASO, TEXAS**  
**AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

**DEPARTMENT:** City Development Department

**AGENDA DATE:** Introduction: April 30, 2013  
Public Hearing: May 21, 2013

**CONTACT PERSON/PHONE:** Andrew Salloum, (915) 541-4633, salloumam@elpasotexas.gov

**DISTRICT(S) AFFECTED:** 4

**SUBJECT:**

An Ordinance granting Special Permit No. PZST13-00006, to allow for Infill Development with reduced lot area, lot width, and cumulative front/rear yard setbacks on the property described as Lots 26-28, Block 3, Sahara Subdivision, City of El Paso, El Paso County, Texas, Pursuant to Secition 20.10.280 Infill Development of the El Paso City Code. The Penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 9915, 9919, and 9923 Taj Mahal Street. Property Owner: David Velasco. PZST13-00006 (**District 4**)

**BACKGROUND / DISCUSSION:**

Staff report attached.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

City Plan Commission (CPC) – Approval Recommendation (9-0)

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DEPARTMENT HEAD:**

Mathew S. McElroy  
Director, City Development Department

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST13-00006, TO ALLOW FOR INFILL DEVELOPMENT WITH REDUCED LOT AREA, LOT WIDTH, AND CUMULATIVE FRONT/REAR YARD SETBACKS ON THE PROPERTY DESCRIBED AS LOTS 26-28, BLOCK 3, SAHARA SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.280 INFILL DEVELOPMENT OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

**WHEREAS**, David Velasco, has applied for a Special Permit for infill development under Section 20.10.280 of the El Paso City for three two-family dwelling with reduced lot area, lot width, and cumulative front/rear yard setbacks; and,

**WHEREAS**, a report was made to the City Plan Commission and a public hearing was held regarding such application; and,

**WHEREAS**, the City Plan Commission has recommended approval of the subject Special Permit; and,

**WHEREAS**, the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval; and,

**WHEREAS**, the City Council of the City of El Paso finds that the application conforms to all requirements of Sections 20.04.320 of the El Paso City Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. That the property described as follows is in a R-4 (Residential) Zone District:  
*Lots 26-28, Block 3, Sahara Subdivision, City of El Paso, El Paso County, Texas; and,*
2. That the City Council hereby grants a Special Permit under Sections 20.04.320 of the El Paso City Code, to allow an infill development for three two-family dwelling with reduced lot area, lot width, and cumulative front/rear yard setbacks; and,
3. That this Special Permit is issued subject to the development standards in the R-4 (Residential) District regulations and is subject to the approved Detailed Site Development Plan, signed by the Applicant, the City Manager and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "A" and incorporated herein by reference for all purposes; and,

ORDINANCE NO. \_\_\_\_\_

**PZST13-00006**

4. That if at any time the Owners fail to comply with any of the requirements of this Ordinance, Special Permit No. PZST13-00006 shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases; and,
5. That the Owners shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

**THE CITY OF EL PASO**

\_\_\_\_\_  
John F. Cook  
Mayor

**ATTEST:**

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

**APPROVED AS TO FORM:**

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Karla M. Nieman  
Assistant City Attorney

\_\_\_\_\_  
Mathew S. McElroy, Director  
City Development Department

**ORDINANCE NO.** \_\_\_\_\_

**PZST13-00006**

## AGREEMENT

David Velasco (Property Owner), referred to in the above Ordinance, hereby agree to develop the above-described property in accordance with the approved Detailed Site Development Plan attached to same Ordinance, and in accordance with the standards identified in the R-4 (Residential) District regulations, and subject to all other requirements set forth in this Ordinance.

**EXECUTED** this       day of \_\_\_\_\_, 2013.

David Velasco:

By: \_\_\_\_\_  
(name/title)

(signature)

## ACKNOWLEDGMENT

[illegible]

This instrument is acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2013, for David Velasco, as Owner.

My Commission Expires:

Notary Public, State of Texas

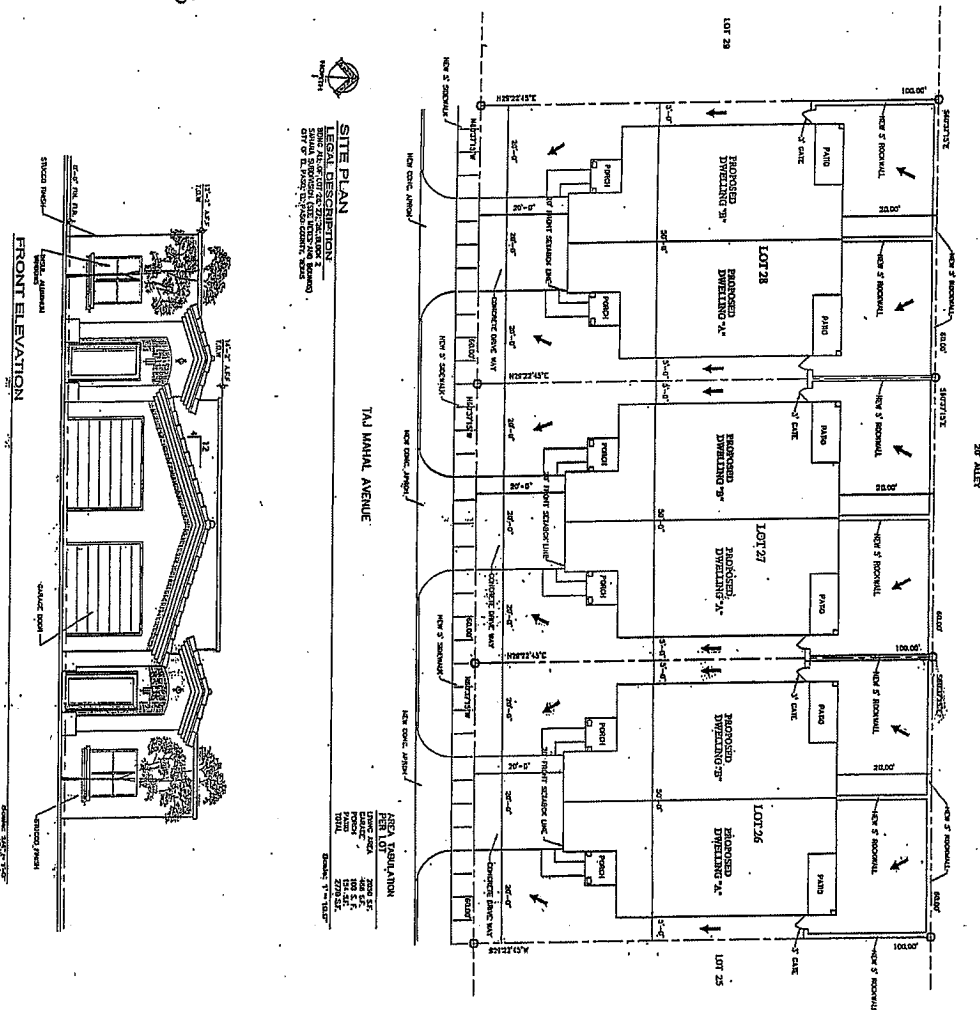
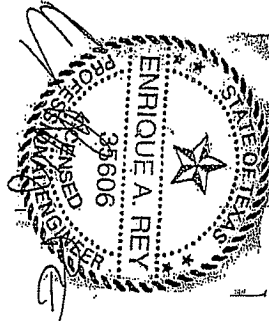
Notary's Printed or Typed Name:

ORDINANCE NO.

**PZST13-00006**

# EXHIBIT "A"

19 Apr 2013



**J. L. J. DESIGNS**  
 CELL (915) 328-1346  
 8434 WISCONSIN SUITE 148  
 EL PASO, TEXAS 79925

**MR. DAVID VELASCO PROPERTY**  
 TAI MAHAL AVENUE  
 EL PASO, TEXAS

**REVISIONS**

NO.	DATE	DESCRIPTION
1	11-14-12	ISSUED FOR PERMIT
2	11-14-12	ISSUED FOR PERMIT
3	11-14-12	ISSUED FOR PERMIT
4	11-14-12	ISSUED FOR PERMIT
5	11-14-12	ISSUED FOR PERMIT
6	11-14-12	ISSUED FOR PERMIT
7	11-14-12	ISSUED FOR PERMIT
8	11-14-12	ISSUED FOR PERMIT
9	11-14-12	ISSUED FOR PERMIT
10	11-14-12	ISSUED FOR PERMIT

## MEMORANDUM

**DATE:** April 22, 2013

**TO:** The Honorable Mayor and City Council  
Joyce A. Wilson, City Manager

**FROM:** Andrew Salloum, Planner

**SUBJECT:** PZST13-00006

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The City Plan Commission (CPC) on April 4, 2103, voted **9-0** to recommend **APPROVAL** of the special permit application to allow for infill development.

The CPC found that the special permit is in conformance with the Plan El Paso and that the proposed use is in conformance with the Plan El Paso-Future Land Use Map Designation. The proposed development is compatible with adjacent land uses. The CPC also determined that the special permit protects the best interest, health, safety, and welfare of the public in general; and the special permit will have no effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

There was no opposition to this request.

**Attachments:** Staff Report



## *City of El Paso – City Plan Commission Staff Report*

**Case No:** PZST13-00006  
**Application Type:** Special Permit  
**CPC Hearing Date:** April 4, 2013  
**Staff Planner:** Andrew Salloum, (915) 541-4633, salloumam@elpasotexas.gov

**Location:** 9915, 9919, & 9923 Taj Mahal Street  
**Legal Description:** Lot 26-28, Block 3, Sahara Subdivision, City of El Paso, El Paso County, Texas  
**Acreage:** 0.414-acre  
**Rep District:** 4  
**Zoning:** R-4 (Residential)  
**Existing Use:** Vacant  
**Request:** Infill Development / request reduced lot area, lot width, and cumulative front/rear yard  
**Proposed Use:** Duplex

**Property Owner:** David Velasco  
**Representative:** David Velasco

### **SURROUNDING ZONING AND LAND USE**

**North:** R-4 (Residential) / Parking lot  
**South:** R-4 (Residential) / Vacant  
**East:** R-4 (Residential) / Vacant  
**West:** C-3 (Commercial) / Retail

**The Plan for El Paso Designation:** G-3, Post-War (Northeast Planning Area)

**NEAREST PARK:** Milagro Park (3,216 feet)

**NEAREST SCHOOL:** Parkland Elementary (3,228 feet)

### **NEIGHBORHOOD ASSOCIATIONS**

There are no registered neighborhood associations in the area.

### **NEIGHBORHOOD INPUT**

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on March 19, 2013. The Planning Division has not received any letters or phone calls in support or opposition of the special permit request.

### **APPLICATION DESCRIPTION**

The applicant is requesting a special permit and detailed site development plan review for infill development to reduce the lot size from the required 7,000 square-foot to 6,000 square-feet, lot width from the required 70 feet to 60 feet, and cumulative front and rear yard setback from the required 45 feet to 40 feet for each duplex. The detailed site development plan shows three (3) 2,770 square-foot duplexes. Each lot complies with all other setback. Access to the subject property is proposed from Taj Mahal Street.

### **PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **approval** of the special permit and detailed site development plan review request for Infill Development, as it complies with 20.04.320 special permit and 20.04.150 detailed site development plan.

### **Plan El Paso-Future Land Use Map Designation**

All applications for special permit shall demonstrate compliance with the following criteria:

G-3, Post-War: This sector applies to transitional neighborhoods typically developed from the 1950s through the 1980s. Streets were laid out with curvilinear patterns without alleys and shopping centers are located at major intersections behind large parking lots. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.

The purpose of the R-4 (Residential) district is to promote and preserve residential development within the city to create basic neighborhood units. It is intended that the district regulations maintain a low density of dwelling units supporting a suburban-urban interface that permits developments utilizing varying lot configurations. The regulations of the districts will permit primarily single-family and two-family residential areas, and recreational and institutional uses incidental to and serving the neighborhood.

### **COMMENTS:**

#### **City Development Department – Planning Division - Transportation**

No objections to the proposed special permit

#### **Site Plan Comments**

1. Provide driveway widths (maximum width of 24ft. for single and two-family dwellings).
2. Provide width of driveway islands. A minimum island of 15 ft. is required between driveways.
3. Sidewalks shall continue across driveways and not ramp down.

#### **Note:**

1. All proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) located within public rights-of-way shall be constructed in compliance with the current ADA/TAS regulations and City Design Standards for construction.

#### **City Development Department – Plan Review**

No objections subject to meeting all building and zoning codes at time of submittal for building permit.

#### **City Development Department - Landscaping Division**

Landscape is not required for residential use in this infill area.

#### **City Development Department - Land Development**

No objections.

Grading plan and permit shall be required.\*

Storm Water Pollution Prevention Plan and/or permit required.\*

Drainage plans must be approved by the City Development Department, Land Development Section.\*

\* This requirement will be applied at the time of development.

#### **Fire Department**

Fire does not adversely affect fire department at this time. \*

\* Note, A more detailed reviewed will be done by fire plan review during the permitting process.

#### **Police Department**

Attached Special Permit application and site plan for infill developments of duplexes at Taj Majal Street have been reviewed and there are no objections or comments to add. Thank you for informing us of the matter.

#### **Sun Metro**

Sun Metro does not oppose this request. Recommends the construction of sidewalks to permit pedestrian access to mass transit options.

#### **El Paso Water Utilities**

1. EPWU does not object to this request.



## EPWU-PSB Comments

### Water:

2. There is an existing six (6) inch diameter water main that extends along Taj Mahal Street on the eastern boundary of the subject property. This water main is available for service.
3. Previous water pressure readings from fire hydrant #6497, located on the eastern side of Taj Mahal Street fronting the subject property, have yielded a static pressure of 90 pounds per square inch (psi), a residual pressure of 84 psi and a discharge of 1113 gallons per minute (gpm).
4. The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

### Sanitary Sewer:

4. There is an existing eight (8) inch diameter sanitary sewer main in the alley between Taj Mahal Street and Dyer Street on the western boundary of the subject property. This sanitary sewer main is available for service.
5. There is an existing eight (8) inch diameter sanitary sewer main along Taj Mahal Street fronting the subject property. This sewer main is available for service.
6. Application for additional water services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd Floor. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water lines and appurtenances.

## **CITY PLAN COMMISSION OPTIONS**

The City Plan Commission may consider the following options and additional options that it identifies when reviewing the special permit and detailed site development plan application:

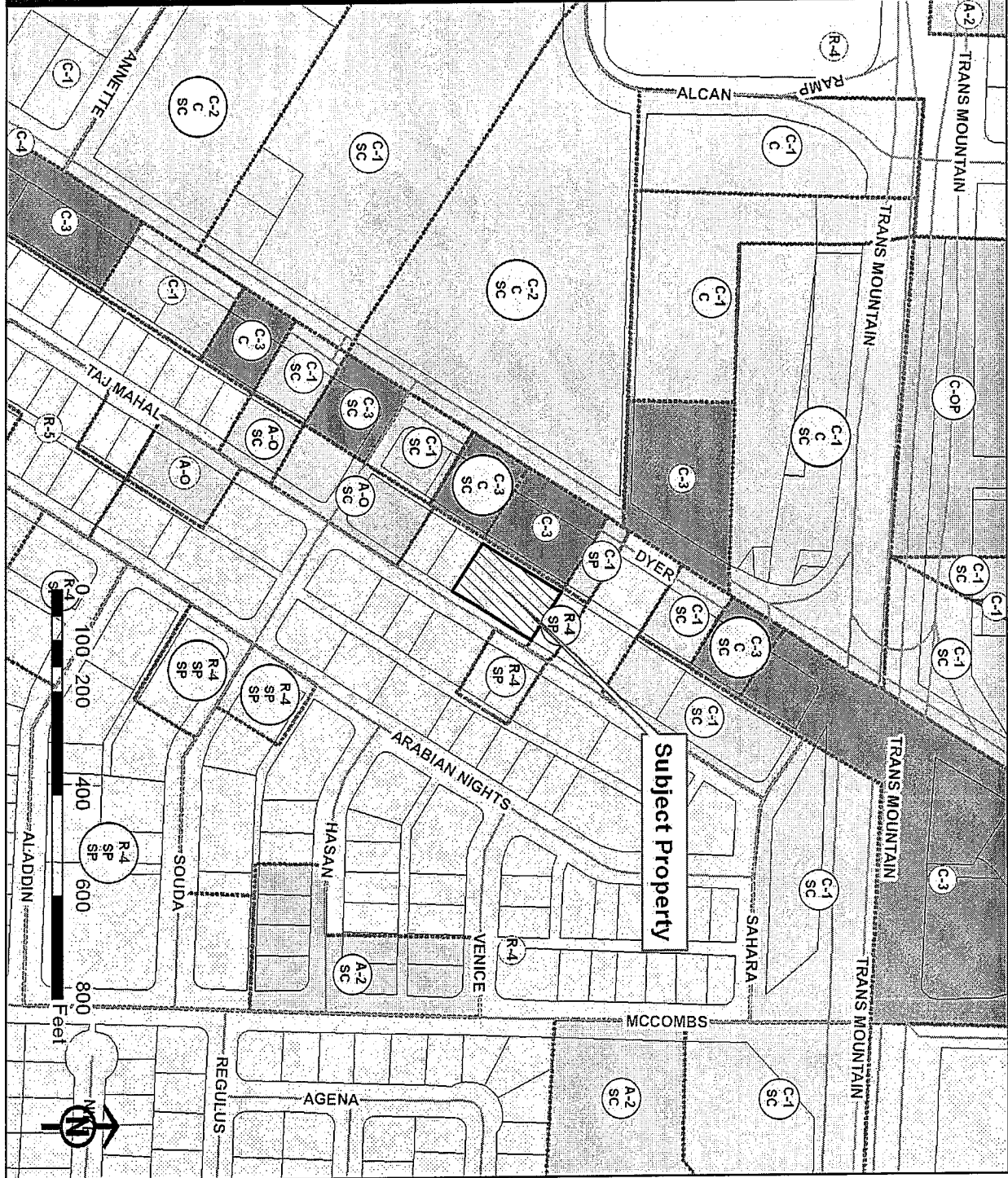
1. Recommend approval of the application finding that the special permit and detailed site development plan are in conformance with the review criteria of Plan El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan
2. Recommend approval of the application with modifications to bring the special permit and detailed site development plan into conformance with the review criteria in Plan El Paso as reflected in CPC report or other criteria from the Plan as identified by the CPC.
3. Deny the application finding that the special permit and detailed site development plan do not conform to the review criteria in Plan El Paso as reflected in CPC report or other criteria identified from the Plan by the CPC.

## **Attachments**

1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan

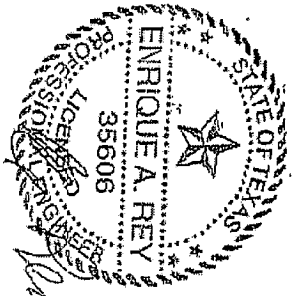
ATTACHMENT 1: ZONING MAP

PZST13-00006





# ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



25 Feb 2013

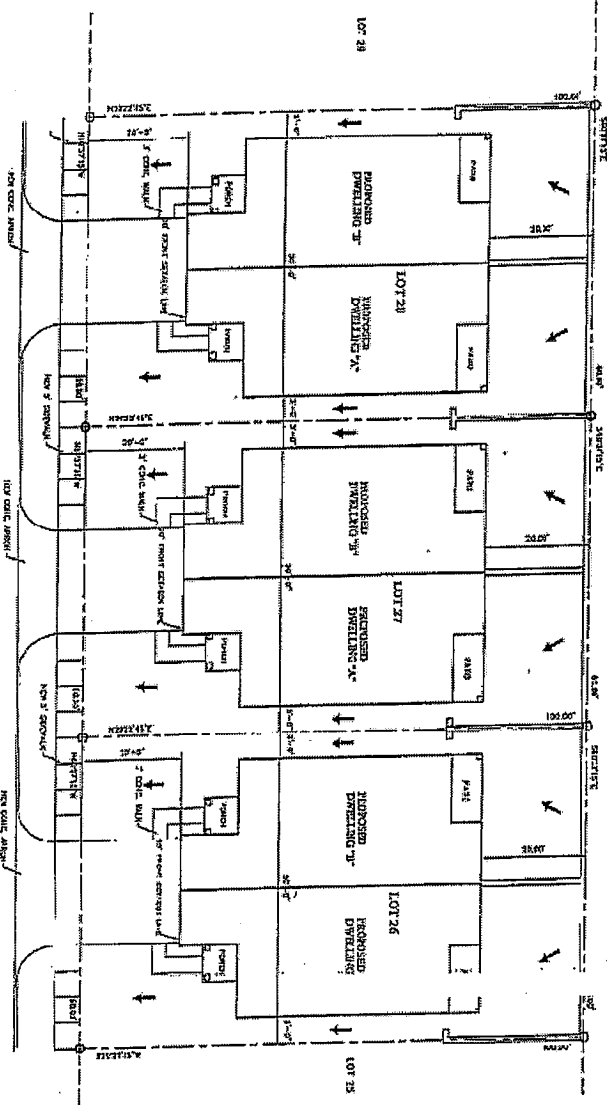
PE



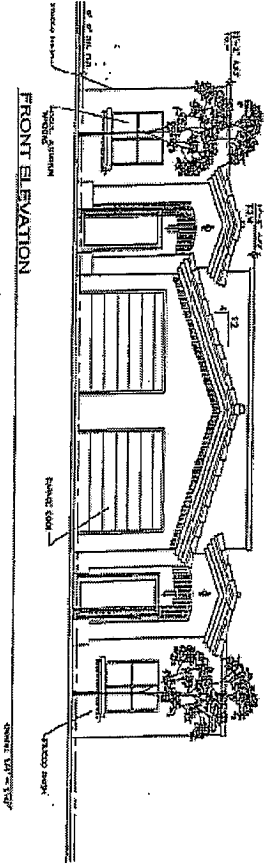
**SITE PLAN**  
LEGAL DESCRIPTION  
TRACT 10, BLOCK 10, LOT 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

FAJ BAHAL AVENUE

LOT 26 BUILDING  
FLOOR AREA  
2200 SQ. FT.  
GARAGE  
200 SQ. FT.  
TOTAL  
2400 SQ. FT.  
SCHEDULE 700, 1000



FRONT ELEVATION



<b>J. L. J. DESIGNS</b> CELL (915) 328-4146 9432 VISCOUNT DRIVE 198 EL PASO, TEXAS 79925	PROJECT NAME <b>MR. DAVID VELASCO PROPERTY</b> FAJ BAHAL AVENUE EL PASO, TEXAS		REVISIONS NO. DATE BY 1 11/13/12 J.L.J.
	SHEET NO. 1 SITE PLAN AND FRONT ELEVATION SHEET 01 OF 01		SCALE 1" = 10'